

Hon. D. A. M. Graham

ST. KENTIGERN TRUST

[PRIVATE]

ANALYSIS

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A BILL INTITULED

An Act to amend the objects of the St. Kentigern Trust to permit girls as well as boys to be educated at St. Kentigern College and St. Kentigern School

5 WHEREAS:

- A. The St. Kentigern Trust is established by deed dated the 23rd day of February 1949 and has as its objects the founding and providing for a school or schools and other institutions for the care, teaching, and education of boys:
- 10 B. The St. Kentigern Trust Board, a Board deemed to have been incorporated under the Charitable Trusts Act 1957, administers St. Kentigern College and St. Kentigern School under the Trust on land owned by the Board:
- 15 C. The Board and the Founders of the Trust wish to have the power to admit girls to the College and the School and to any other school or institution founded and provided by the Board:
- D. The Trust Deed prohibits any alteration or addition to the objects of the Trust:
- 20 E. The objects of this Act cannot be attained otherwise than by legislation:

BE IT THEREFORE ENACTED by the Parliament of New Zealand as follows:

1. Short Title—This Act may be cited as the St. Kentigern Trust Act 1994.

2. Interpretation—In this Act, unless the context otherwise requires—

“College” means St. Kentigern College at Auckland: 5

“Founders” means those persons living at the date on which this Act comes into force and who executed the Trust Deed as Founders of the Trust:

“School” means St. Kentigern School at Auckland:

“Trust” means the St. Kentigern Trust: 10

“Trust Deed” means the deed dated the 23rd day of February 1949 establishing the St. Kentigern Trust; and includes all amendments to that deed:

“Trustees” means the trustees for the time being of the St. Kentigern Trust. 15

3. Extension of objects of Trust to include education of girls—(1) Notwithstanding anything in the Trust Deed, the objects of the Trust shall be deemed to extend to providing, if the Trustees in their discretion so desire, for the care, teaching, and education of girls in the same way as those objects apply to boys. 20

(2) Without limiting subsection (1) of this section, the Trustees may, from time to time, exercise the discretion referred to in that subsection in relation to the care, teaching, and education of girls of such number, of such particular age or ages, in any particular forms or classes, and whether as boarders or day pupils, as the Trustees think fit. 25

4. Private Act—This Act is hereby declared to be a private Act.